

Back Count Horsemen of America



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Gavin Hoban, Project Leader
Bureau of Land Management
3050 NE 3rd Street
Prineville, OR 97754
(BLM_OR_PR_Mail@blm.gov)

Subject: Oregon Badlands Wilderness Scoping Comments

Dear Mr. Hoban,

The following comments are submitted on behalf of Backcountry Horsemen of America. The mission of the BCHA is "to perpetuate the common sense use and enjoyment of horses in America's back country and wilderness." As supporters of the National Wilderness Preservation System we are committed to the long-term sustainable management of Wilderness lands in a way that protects and ensures that responsible, compatible, and historical recreational uses are allowed to occur within the capacity of the land.

The need for protected landscapes as refuges for the public dates back to the early part of the last century and beyond. In 1901 as part of his annual message to Congress, President Theodore Roosevelt emphasized the value of preserving some of our wild lands to "afford perpetual protection to the native fauna and flora, safe havens of refuge to our rapidly diminishing wild animals of the larger kinds, and free camping grounds" for America's sportsmen and women. Americans who shared Roosevelt's sentiments formed the core of the numerous outdoor clubs that appeared during the early part of the twentieth century - The Wilderness Society, Sierra Club, Appalachian Mountain Club, Boone and Crocket Club (which Roosevelt organized), Boy Scouts of America, and many others.

It was this national sentiment that a patriarch of our National Wilderness Preservation System, Aldo Leopold, sought to accommodate with his early crusade for wilderness. While on a trip with saddle horses and pack train into the

headwaters of the Pecos River in 1913, Leopold shared with his companion, District Ranger Elliott Barker, an incredible dream. He propounded a belief that the Nation should set aside large tracts of land that would remain forever wild. These tracts would serve as "anchor points so society would always have a touchstone to the past." Leopold believed that "Public wilderness areas are, first of all, a means of perpetuating, in sport form, the more virile and primitive skills in pioneering travel and subsistence." Two examples "are as American as a hickory tree; they have been copied elsewhere, but they were developed to their full perfection only on this continent. One of these is canoe travel, and the other is travel by pack-train."

Preserving historical means of travel using pack and saddle stock was at the very origins of the wilderness movement. When the "pack train," and the freedom to experience unconfined recreation, has been regulated out, there may still be wilderness, but it will not be the same 'wilderness' the movement's patriarchs envisioned -- it will not be a "touchstone" to our past and an expression of our cultural heritage, and the managing agencies will not have met the mandate in Section 4b of the Wilderness Act to administer the areas for "historical use." The mountain man and the pack train will be pictures in a book -- seen but not understood and appreciated. When that day comes, the purposes of wilderness will have been changed; Wilderness will be nothing more than a 'tool' for those who wish to preclude roading and commodity use of our public lands, and a 'playground' for the young and physically able.

In preparing your Management Plan, one of the guiding principles should be that horseback riding and packing are primitive, non-motorized, non-mechanized forms of travel that are historical, traditional and appropriate uses of Wilderness Areas in accordance with the purposes and provisions of The Wilderness Act. The plan should ensure that adequate access, appropriate trailhead facilities, reasonable grazing practices for pack and saddle stock, and responsibly-maintained trails are managed for the continuance of historical and traditional uses. It is also important that the ability of the land to facilitate such use is not overburdened, and the agency should consider how it will ensure traditional recreational uses are allowed to continue as part of its commitment to manage wilderness "in such manner as will leave them unimpaired for future use and enjoyment as wilderness."

Management and maintenance of trails is important to facilitate the enjoyment of Wilderness by the public, both for stock and other compatible uses. Ensuring that these lands are able to be enjoyed by the public is important, and we believe the agency should do what it can, consistent with the Wilderness Act, to maintain trails. The use of traditional tools and primitive means should be the first alternative when it comes to trail maintenance. However, at times, the minimum tool necessary might include the limited use of mechanized equipment. "Responsibly-maintained trails" in special cases may include the use of motorized equipment when it is appropriate and/or necessary to accomplish the purposes of the Act, including assuring that these areas are "administered for the use and enjoyment of the American people" (Section 2a). Congress, in House Report 95-540, which accompanied the Endangered American Wilderness Act of 1978, provided guidance as to "how the Wilderness Act should now be interpreted as it relates to certain uses and activities." Of special note is the guidance it provided for "*Trails, Bridges, Trail Signs* - Trails, trail signs, and necessary bridges are all permissible when designed in keeping with the wilderness concept. These are often important to the

recreational access and use of a wilderness area. Trail construction or maintenance can include the use of mechanical equipment where appropriate and/or necessary." BLM Regulation 8560.39 (C) (7) provides that flexibility; "Portable hand-portable tools, such as chain saws or rock drills may be approved by the State Director when they are the minimum necessary for administrative purposes where work cannot be accomplished with non-powered tools. (In some cases such tools may be necessary in trail construction and maintenance, due to limitations of time, season, etc.)" Both the statutory language and your written policy permit a reasonable interpretation that motorized equipment is "appropriate and/or necessary" under certain circumstances to provide for the "use and enjoyment of the American people."


Because the Oregon Badlands Wilderness is newly designated, you have an opportunity to identify and inventory the special qualities and attributes that Congress determined qualified the areas as wilderness before they are altered by changing use dynamics, social preferences and management emphasis. This relates to the social component of "wilderness character" as well as the bio-physical component. The example of "wilderness character" that Senator Hubert Humphrey used in his speech introducing the first wilderness bill was a social attribute -- hunting; "Rather than being concerned with any special use or user, this bill relates instead to the character of the areas involved. Hunting, for example, although it is not mentioned in the bill, will continue to be a major recreation within many national forest units of the System and will be prohibited in national parks." It was clear that Congress intended that existing compatible uses be preserved where they existed at the time of designation. He went on to emphasize that "the central concept of this measure, I repeat, is that our present areas of wilderness can be preserved within the existing land-management pattern if the preservation purpose is made a matter of fundamental policy."

Several attributes that have been important in central Oregon -- hunting, hiking, and horseback riding and packing, as well as off-trail travel in pursuit of solitude, primitive recreation, challenge and discovery -- are all inherent in the "wilderness character" of this wilderness. All can, and should -- if they are conducted and administered in a responsible and sustainable manner consistent with the capabilities of the land -- be part of the character that your plan strives to preserve.

The pack string in modern wilderness remains as a commemoration of the pioneering of America, of mountain man, the forms of travel and way of life he experienced during the expansion era of our history. Every time a Back Country Horseman throws a load on his horse and mule and rides into America's wilderness, he is living Aldo Leopold's dream, and helping to "preserve a ... traditional, historic and folk culture that [is] a living expression of our American heritage." (National Historic Preservation Act) We appreciate the opportunity to provide comment. Back Country Horsemen of America stands ready to assist you in your planning effort. Please keep us apprised as your plan progresses to completion.

Sincerely,

Recreation

A handwritten signature in black ink that reads "Dennis Dailey". The script is cursive and fluid, with the first name "Dennis" and last name "Dailey" clearly distinguishable.

Dennis Dailey
Senior Advisor, Wilderness,
and Trails